

MESSAGE NO: 5183308 MESSAGE DATE: 07/02/2015

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ALI-Auto Liquidation

FR CITE: 56 FR 15856 FR CITE DATE: 04/18/1991

REFERENCE
MESSAGE #
(s):

CASE #(s): A-337-602

EFFECTIVE DATE: 04/18/1991 COURT CASE #:

PERIOD OF REVIEW: 03/01/1990 TO 02/28/1991

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 04/18/1991

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Automatic liquidation instructions for standard carnations from Chile for the period 03/01/1990 through 02/28/1991 (A-337-602)

1. Commerce does not automatically conduct administrative reviews of antidumping duty orders. Instead, reviews must be requested pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended, and in accordance with 19 CFR 351.213.

2. Commerce has not received a request for an administrative review of the antidumping duty order for the period 03/01/1990 through 02/28/1991 and on the merchandise identified below. Therefore, in accordance with 19 CFR 351.212(c), you are to assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption at the cash deposit or bonding rate in effect on the date of entry. Liquidate all entries for all firms.

Product: Standard carnations

Country: Chile

Case number: A-337-602

Period: 03/01/1990 through 02/28/1991

3. There are no injunctions applicable to the entries covered by this instruction.

4. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of initiation of administrative review for the 03/01/1990 anniversary month (56 FR 15856, 04/18/1991). Effective 01/01/2000, the antidumping duty order on standard carnations from Chile (A-337-602) was revoked as explained in message number 0019210 dated 01/19/2000.

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated

antidumping duties is required through the date of liquidation. Section 778 of the Tariff Act of 1930 was amended effective 10/30/1984. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, Customs should require that the importer provide a reimbursement statement as described in section 353.26 of the Commerce Department's regulations (1989 edition). The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the exporter to be reimbursed antidumping duties, Customs should double the antidumping duties in accordance with the above-referenced regulation (1989 edition). If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with Custom's protest process, Customs may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by CLU:JD.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party